

Huntingdonshire District Council

The Clean Neighbourhoods and Environment Act 2005

The Dog Control Orders (Prescribed Offences and Penalties, etc.)
Regulations 2006 (SI 2006/1059)

THE FOULING OF LAND BY DOGS (HUNTINGDONSHIRE) ORDER 2007

Huntingdonshire District Council (in this Order called "the Council") hereby makes the following Order:

1. This Order comes into force on 15 December 2007.
2. This Order applies to the land specified in the Schedule below and shown verged by the green line on the maps attached to this Order, being land in the administrative area of the Council to which the Dog Control Orders (Prescribed Offences and Penalties, etc.) Regulations 2006 (SI 2006/1059) apply and is hereby designated for the purposes of this Order.

Offence

3. (1) If a dog defecates at any time on land to which this Order applies and a person who is in charge of the dog at that time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence unless:
 - (a) he has a reasonable excuse for failing to do so; or
 - (b) the owner, occupier or other person or authority having control of the land has consented (generally or specifically) to his failing to do so.
- (2) Nothing in this article applies to a person who:
 - (a) is registered as a blind person in a register compiled under section 29 of the National Assistance Act 1948; or
 - (b) has a disability which affects his mobility, manual dexterity, physical coordination or ability to lift, carry or otherwise move everyday objects, in respect of a dog trained by a prescribed charity and upon which he relies for assistance.
- (3) For the purposes of this article:
 - (a) a person who habitually has a dog in his possession shall be taken to be in charge of the dog at any time unless at that time some other person is in charge of the dog;
 - (b) placing the faeces in a receptacle on the land which is provided for the purpose, or for the disposal of waste, shall be a sufficient removal from the land;
 - (c) being unaware of the defecation (whether by reason of not being in the vicinity or otherwise), or not having a device for or other suitable means of removing the faeces shall not be a reasonable excuse for failing to remove the faeces;

- (d) each of the following is a "prescribed charity":
- (i) Dogs for the Disabled (registered charity number 700454);
 - (ii) Support Dogs (registered charity number 1088281);
 - (iii) Canine Partners for Independence (registered charity number 803680).

Penalty

4. A person who is guilty of an offence under article 3 shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

The Common Seal of Huntingdonshire District Council was hereby affixed in the presence of:

Signed



Peter Watkins
Director of Central Services

Dated

15 NOVEMBER 2007



176107

Signed



Dr Susan Lammin
Head of Environmental and Community Health Services

Dated

15 NOVEMBER 2007

Schedule

1. Subject to the exception in paragraph 20 below, all land described in the following schedule and indicated on the attached maps, being land that lies within the administrative area of the Council and which is:
 - (i) open to the air (which includes land that is covered but open to the air on at least one side); and
 - (ii) to which the public are entitled or permitted to have access (with or without payment); and
 - (iii) is signed as a "dog fouling area" (whether the sign uses those particular words or words and/or symbols having like effect).

Land Designated by Description

2. Road carriageways with a speed limit of 40 mph or less and adjoining footpaths and verges.
3. Any other footpath, footway, alley, passage, square or court (including any footbridge or pedestrian subway or underpass and irrespective of whether they are thoroughfares) and any adjoining verges.
4. Parks, playing fields, playgrounds, open spaces, village greens, car parks and curtilages of village halls maintainable by or on behalf of Cambridgeshire County Council, Huntingdonshire District Council and any Town or Parish Council within the district of Huntingdonshire or any successor authority thereto.
5. Burial grounds including churchyards, cemeteries or other grounds whether consecrated or not which have at any time been set apart for the purposes of interments.
6. Land comprising any school which is used for the education of children provided by the local Education Authority, any grant maintained school and any public school.

Land Designated Specifically

7. Catworth - Catworth Playing Fields, Station Road, Catworth.
8. Fenstanton - Fenstanton Football Club, Hall Green Lane, Fenstanton.
9. Godmanchester - Sports Ground, Bearscroft Lane, Godmanchester.
10. Hemingford Grey - Hemingford Peace Memorial Playing Field, Manor Road, Hemingford Grey.
11. Huntingdon - Hinchbrooke Country Park, Hinchbrooke Park Road, Huntingdon, PE29 6DB.
12. Kimbolton - Kimbolton Cricket Club, Thrapston Road, Kimbolton.
13. Needingworth - Allotments, Mill Way, Needingworth.
14. Needingworth - Playing Field, Mill Way, Needingworth.
15. Needingworth - Playing Field, Overcote Lane, Needingworth.

16. Ramsey - Ramsey Rural Museum, Wood Lane, Ramsey.
17. St Neots - St Neots Sports Association, The Common, St Neots.
18. Yelling - Cricket Ground, High Street, Yelling.
19. Warboys - Sports Field, Forge Way,
20. Excepted from the description in paragraph 1 above is land that is placed at the disposal of the Forestry Commissioners under section 39(1) of the Forestry Act 1967.